

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Mark L. Witten	Confirmation No.:	2163
Serial No.:	10/553,232	Art Unit:	1654
Filed:	October 3, 2006	Examiner:	Unassigned
For:	ACUTE RESPIRATORY SYNDROMES	Attorney Docket No.:	12241-021-999

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

ImmuneRegen Biosciences, Inc. (hereinafter "ImmuneRegen"), a corporation of the State of Delaware, having a place of business at 8767 E. Via De Ventura, Suite 190, Scottsdale, Arizona 85258, states that it is the assignee of the entire right, title, and interest in the above-identified U.S. patent application by virtue of an assignment from the inventor(s). The assignment has been submitted to the United States Patent and Trademark Office for recordation, which a copy thereof is attached.

**REVOCATION OF PREVIOUS AND POWER OF ATTORNEY AND  
NEW POWER OF ATTORNEY BY ASSIGNEE**

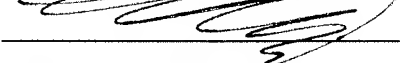
ImmuneRegen hereby revokes any and all previous powers of attorney given in the above-identified application and hereby appoints the registered practitioners of JONES DAY at Customer Number **20583** to prosecute this application, to make and to transact all business in the Patent and Trademark Office connected therewith.

**REQUEST FOR CHANGE OF CORRESPONDENCE ADDRESS**

Please send all future correspondence and direct telephone calls to Customer Number **20583**.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

**ASSIGNEE: ImmuneRegen Biosciences, Inc.**

Date:	<u>Dec 7, 2007</u>	Signature:	
		Typed Name:	Michael K. Wilhelm
		Position/Title:	Chairman and Chief Executive Officer

SAK/INT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 27, 2005

PTAS



\*102952886A\*

SARAH A. KAGAN  
BANNER & WITCOFF, LTD.  
1001 G. STREET, N.W., SUITE 1100  
WASHINGTON, D.C. 20001

DOCKETED

ALL 03/2005  
MA

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES DIVISION, P.O. BOX 1450, ALEXANDRIA, VA 22311.

RECORDATION DATE: 03/01/2005

REEL/FRAME: 016316/0145  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WITTEN, MARK L.

DOC DATE: 02/23/2005

ASSIGNEE:

IMMUNEREGEN BIOSCIENCES, INC.  
4021 N. 75TH STREET, SUITE 201  
SCOTTSDALE, ARIZONA 85251

SERIAL NUMBER: 60433996 ✓  
PATENT NUMBER:  
TITLE: SUBSTANCE P INDUCES HAIR GROWTH

FILING DATE: 12/18/2002  
ISSUE DATE:

SERIAL NUMBER: 60462316 ✓  
PATENT NUMBER:  
TITLE: ACUTE RESPIRATORY DISTRESS SYNDROME

FILING DATE: 04/14/2003  
ISSUE DATE:

016316/0145 PAGE 2

SERIAL NUMBER: 60465266  
PATENT NUMBER:  
TITLE: ACUTE RESPIRATORY SYNDROMES

FILING DATE: 04/25/2003  
ISSUE DATE:

SERIAL NUMBER: 60565021  
PATENT NUMBER:  
TITLE: ANTI-AGING EFFECTS OF SUBSTANCE P

FILING DATE: 04/26/2004  
ISSUE DATE:

SERIAL NUMBER: 60622015  
PATENT NUMBER:  
TITLE: METHOD TO PROMOTE WOUND HEALING

FILING DATE: 10/27/2004  
ISSUE DATE:

SERIAL NUMBER: 10539734 ✓  
PATENT NUMBER:  
PCT NUMBER: US0340259  
TITLE: STIMULATION OF HAIR REGROWTH

FILING DATE:  
ISSUE DATE:

SERIAL NUMBER:  
PATENT NUMBER:  
PCT NUMBER: US0411399  
TITLE: ACUTE RESPIRATORY SYNDROMES

FILING DATE: 04/14/2004  
ISSUE DATE:

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE



\*102952886B\*

### AUTHORIZATION TO CHARGE ADDITIONAL FEES TO DEPOSIT ACCOUNT

JULY 27, 2005

TO: OFFICE OF FINANCE  
FROM: ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS  
SUBJECT: DEPOSIT ACCOUNT CHARGE(S)

CHARGE THE DEPOSIT ACCOUNT LISTED BELOW ADDITIONAL FEE(S) AS INDICATED BELOW. AUTHORIZATION TO CHARGE ADDITIONAL FEES HAS BEEN PROVIDED PER THE ATTACHED COVER SHEET, OR BY DIRECT CONTACT WITH THE CUSTOMER.

DEPOSIT ACCOUNT NUMBER: 190733  
PROPERTY NUMBER: 60433996

#### RECORDING FEES:

FEE CODE: 8021 AMOUNT: 240

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

TRADEMARK SERVICE FEES:	FEE CODE:
RECORDING FIRST MARK	8521
RECORDATION SECOND AND SUBSEQUENT MARK IN SAME DOCUMENT	8522
LABOR CHARGES FOR SERVICES PER HOURS OR FRACTION THEREOF	8523
UNSPECIFIED OTHER SERVICES	8524

#### PATENT SERVICE FEES:

RECORDING EACH PATENT ASSIGNMENT,	8021
AGREEMENT, OTHER PAPER, PER PROPERTY	
LABOR CHARGES FOR SERVICES PER HOUR	8023
(\$30) OR FRACTION THEREOF	
UNSPECIFIED OTHER SERVICES	8024

3-1-05

RECORDATION  
STATE

03-04-2005



102952886

address(es) below.

To the Director of the U.S. Patents and Trademark Office

1. Name of conveying party(ies)/Execution Date(s):  
Mark L. Witten

Execution Date(s) 02/23/2005

Additional name of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Government Interest Assignment  
☐ Executive Order 9424, Confirmatory License  
☐ Other \_\_\_\_\_

2. Name and address of receiving party(ies)

Name: ImmuneRegen BioSciences, Inc.

Internal Address: \_\_\_\_\_

Street Address: 4021 N. 75th Street, Suite 201

City: Scottsdale

State: Arizona

Country: U.S. Zip: 85251

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

A. Patent Application No.(s)  
60/433,996  
60/462,316  
60/465,266

☐ This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Sarah A. Kagan

Internal Address: \_\_\_\_\_

Street Address: Banner & Witcoff, Ltd.

1001 G. Street, N.W., Suite 1100

City: Washington

State: D.C. Zip: 20001

Phone Number: 202.824.3000

Fax Number: \_\_\_\_\_

Email Address: skagan@bannerwitcoff.com

6. Total number of applications and patents involved: 7

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 280

- ☐ Authorized to be charged by credit card  
☒ Authorized to be charged to deposit account  
☐ Enclosed  
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number 19-0733

Authorized User Name Banner & Witcoff, Ltd.

9. Signature :

March 1, 2005

Sarah A. Kagan, Reg. No. 32,141

Date

Total number of pages including cover sheet, attachments, and documents

4

Name of Person Signing

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:

Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

03/03/2005 ECDOPER 00000289 190733 60433996

01 FC:8021

40.00 DA

ATTACHMENT 4(A)

**4. Application number(s) or patent number(s):**

- A. Patent Application Nos.  
60/565,021  
60/622,015  
PCT/US2003/040259  
PCT/US2004/011399

**ASSIGNMENT**

WHEREAS, I, Mark L. Witten, a citizen of the United States, residing at 7032 E. Rosewood Street, Tucson, Arizona 85710, have invented certain new and useful improvements in the following matters for which applications for Letters Patent have been filed on the dates indicated in the United States:

<u>Title</u>	<u>Serial No.</u>	<u>Filing Date</u>
Substance P Induces Hair Growth	60/433,996	December 18, 2002
Acute Respiratory Distress Syndrome	60/462,316	April 14, 2003
Acute Respiratory Syndromes	60/465,266	April 25, 2003
Anti-Aging Effects of Substance P	60/565,021	April 26, 2004
Method to Promote Wound Healing	60/622,015	October 27, 2004

and in other jurisdictions:

<u>Title</u>	<u>Serial No.</u>	<u>Filing Date</u>
Stimulation of Hair Growth	PCT/US2003/040259	December 18, 2003
Acute Respiratory Syndromes	PCT/US2004/011399	April 14, 2004

WHEREAS, ImmuneRegen BioSciences, Inc., a Delaware corporation, having a place of business at 4021 N. 75th Street, Suite 201, Scottsdale, Arizona 85251, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and in and to any Letters Patent of the United States or any foreign country which may be granted therefor;

NOW THEREFORE, for good and valuable consideration, I, Mark L. Witten by these presents do sell, assign, and transfer unto ImmuneRegen BioSciences, Inc., its successors, legal representatives and assigns, my full right to the said invention as described in the said application, and my entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations and extensions thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks or any other proper officer or agency of any country to issue all said Letters Patent to said assignee;

AND I HEREBY warrant and covenant that I have full right to convey my entire interest herein assigned and that I have not executed and will not execute any instrument or assignment in conflict herewith;

AND I HEREBY agree to communicate to said assignee or its representatives any facts known to



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Feb 23 05 02:07p Witten Lab

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p. 1

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IN ONE ADVERTISING

me respecting said invention, to execute all divisional, continuation, reissue and foreign applications, sign all lawful documents and make all rightful oaths relating to said invention, and to testify in any judicial or administrative proceeding and generally do everything possible to aid the said assignee to obtain and enforce said Letters Patent in the United States or any foreign country when requested so to do by said assignee.

IN WITNESS WHEREOF, I have hereunto set our hand and seal.

Date: 2-23-05

Inventor:

Mark L. Witten, Ph.D.  
Mark L. Witten

## RECORDATION FORM COVER SHEET PATENTS ONLY

To the Director of the U.S. Patents and Trademark Office: Please record the attached documents or the new address(es) below.

### 1. Name of conveying party(ies)/Execution Date(s):

(1) Mark L. Witten  
(2) David T. Harris

Execution Date(s) (1) 02/23/2005 (2) 02/25/05

Additional name of conveying party(ies) attached? ☐ Yes ☒ No

### 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Government Interest Assignment  
☐ Executive Order 9424, Confirmatory License  
☐ Other \_\_\_\_\_

### 2. Name and address of receiving party(ies)

Name: ImmuneRegen BioSciences, Inc.

Internal Address: \_\_\_\_\_

Street Address: 4021 N. 75th Street, Suite 201

City: Scottsdale

State: Arizona

Country: U.S. Zip: 85251

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

### 4. Application number(s) or patent number(s):

A. Patent Application No.(s)  
60/022,063  
08/829,445  
09/028,003

☐ This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached? ☒ Yes ☐ No

### 5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Sarah A. Kagan

Internal Address: \_\_\_\_\_

Street Address: Banner & Witcoff, Ltd.

1001 G. Street, N.W., Suite 1100

City: Washington

State: D.C. Zip: 20001

Phone Number : 202.824.3000

Fax Number: \_\_\_\_\_

Email Address: skagan@bannerwitcoff.com

### 6. Total number of applications and patents involved: 7

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 560

- ☐ Authorized to be charged by credit card  
☒ Authorized to be charged to deposit account  
☐ Enclosed  
☐ None required (government interest not affecting title)

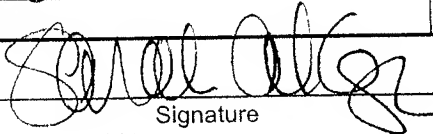
### 8. Payment Information

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number 19-0733

Authorized User Name Banner & Witcoff, Ltd.

### 9. Signature :



Signature

Sarah A. Kagan, Reg. No. 32,141

March 1, 2005

Date

Total number of pages including cover sheet, attachments, and documents

4

Name of Person Signing

ATTACHMENT 4(A) and 4(B)

**4. Application number(s) or patent number(s):**

A. Patent Application Nos.

60/406,036

10/645,839

PCT/US97/13146

40464/97 (Australia)

97938049.0 (Europe)

2,261,885 (Canada)

PCT/US2003/026250

B. Patent Nos.

U.S. 5,945,508

U.S. 5,998,376

Australia 737201

European 0957930

ASSIGNMENT

WHEREAS, WE, Mark L. Witten, a citizen of the United States, residing at 7032 E. Rosewood Street, Tucson, Arizona 85710; and David T. Harris, a citizen of the United States, residing at 4110 N. Alvemon Way, Tucson, Arizona 85718, have invented certain new and useful improvements in the following matters for which applications for Letters Patent have been filed on the dates indicated in the United States:

<u>Title</u>	<u>Serial No.</u>	<u>Filing Date</u>
Substance P Treatment for Immunostimulation	60/022,063	July 23, 1996
Substance P Treatment for Immunostimulation	08/829,445,	March 28, 1997
Substance P Treatment for Immunostimulation	09/028,003	February 23, 1998
Amelioration of Effects of Cigarette Smoke	60/406,036	August 27, 2002
Amelioration of Effects of Cigarette Smoke	10/645,839	August 22, 2003

and in other jurisdictions:

<u>Title</u>	<u>Serial No.</u>	<u>Filing Date</u>
Substance P Treatment for Immunostimulation	PCT/US97/13146	July 8, 1997
Substance P Treatment for Immunostimulation	40464/97 Australia 737201	July 8, 1997 November 22, 2001
Substance P Treatment for Immunostimulation	97938049.0 European 0957930	July 8, 1997 March 24, 2004
Substance P Treatment for Immunostimulation	Canada 2,261,885	July 8, 1997
Amelioration of Effects of Cigarette Smoke	PCT/US2003/026250	August 22, 2003

and that Letters Patent have issued as indicated:

<u>Title</u>	<u>Patent No.</u>	<u>Issue Date</u>
Substance P Treatment for Immunostimulation	US 5,945,508	August 31, 1999
Substance P Treatment for Immunostimulation	US 5,998,376	December 7, 1999
Substance P Treatment for Immunostimulation	Australia 737201	November 22, 2001
Substance P Treatment for Immunostimulation	European 0957930	March 24, 2004

WHEREAS, ImmuneRegen BioSciences, Inc. a Delaware corporation, having a place of business at 4021 N. 75th Street, Suite 201, Scottsdale, Arizona 85251, is desirous of acquiring the entire right, title and interest in and to the aforesaid inventions and in and to any Letters Patent of the United States or any foreign country which may be granted therefor;

NOW THEREFORE, for good and valuable consideration, WE, Mark L. Witten and David T. Harris, by these presents do sell, assign, and transfer unto ImmuneRegen BioSciences, Inc. its successors, legal representatives and assigns, our full right to the said inventions as described in the said applications, and our entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations and extensions thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks or any other proper officer or agency of any country to issue all said Letters Patent to said assignee;

AND WE HEREBY warrant and covenant that we have full right to convey our entire interest herein assigned and that we have not executed and will not execute any instrument or assignment in conflict herewith;

AND WE HEREBY agree to communicate to said assignee or its representatives any facts known to us respecting said invention, to execute all divisional, continuation, reissue and foreign applications, sign all lawful documents and make all rightful oaths relating to said invention, and to testify in any judicial or administrative proceeding and generally do everything possible to aid the said assignee to obtain and enforce said Letters Patent in the United States or any foreign country when requested so to do by said assignee.

IN WITNESS WHEREOF, WE have hereunto set our hand and seal.

Date: 2-23-05

Inventor: Mark L. Witten, Ph.D.  
Mark L. Witten

Date: 2/25/05

Inventor: David T. Harris, Ph.D.  
David T. Harris

## ASSIGNMENT

WHEREAS, I, Mark L. Witten, citizen of United States, residing in Tucson, Arizona; have invented certain new and useful improvements in "*Treatment of Skin Diseases*" for which an application for Letters Patent of the United States was filed on January 12, 2005, and accorded Serial No. 60/642,996 and

WHEREAS, ImmuneRegen BioSciences, Inc., a corporation duly organized under the laws of the State of Delaware having a place of business at 4021 N. 75<sup>th</sup> Street, Suite 201, Scottsdale, Arizona, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and in and to any Letters Patent of the United States or any foreign country which may be granted therefor;

NOW THEREFORE, for good and valuable consideration, I, Mark L. Witten, by these presents do sell, assign, and transfer unto ImmuneRegen BioSciences, Inc., its successors, legal representatives and assigns, our full right to the said invention as described in the said application, and our entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations and extensions thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks or any other proper officer or agency of any country to issue all said Letters Patent to said assignee;

AND I HEREBY warrant and covenant that we have full right to convey our entire interest herein assigned and that we have not executed and will not execute any instrument or assignment in conflict herewith;

AND I HEREBY agree to communicate to said assignee or its representatives any facts known to us respecting said invention, to execute all divisional, continuation, reissue and foreign applications, sign all lawful documents and make all rightful oaths relating to said invention, and to testify in any judicial or administrative proceeding and generally do everything possible to aid the said assignee to obtain and enforce said Letters Patent in the United States or any foreign country when requested so to do by said assignee.

IN WITNESS WHEREOF, we have hereunto set our hand and seal.

Date: 11-7-05

Inventor: Mark L. Witten  
Mark L. Witten